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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,711	10/01/2001	Henrik Stiesdal	PATRADE	7022

7590 07/01/2003

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EXAMINER

ELKASSABGI, HEBA

ART UNIT	PAPER NUMBER
2834	

DATE MAILED: 07/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	Applicant(s)
09/937,711	STIESDAL ET AL.
Examiner	Art Unit
Heba Elkassabgi	2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) Responsive to communication(s) filed on 01 October 2001.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4) Claim(s) 1-11 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-11 is/are rejected.

7) Claim(s) 9 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 01 October 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) All b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1) Notice of References Cited (PTO-892)      4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) Notice of Informal Patent Application (PTO-152)  
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.      6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 09/937711, filed on 10/01/2001. ***Drawings***
2. Figure #1, should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance. No new matter should be entered.

### *Specification*

3. The disclosure is objected to because of the following informalities: On page 4 of the specification line #16 the desired sealing being corresponded to IP54, is not understood by the examiner. Examiner requests that the applicant clarify as to what "IP54" is. No new matter should be entered. Appropriate correction is required.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8, 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blanchard et al. (U.S. Patent 4866321) and further in view of Hansson (U.S. Patent 5714827).

Blanchard discloses in Columns 1-2 and 4 a wind –driven generator having propellers (a.k.a. motor)(11) for a rotor (27) and a stator (12), with axial air gaps, in which the generator (11) is mounted onto a shaft (26). In which the stator (12) has at least two modules that are enclosed within the stator and are versatile to assemble and disassemble without having to disassemble. Furthermore, the coil windings (43) are in a manner to be accessed and replaced within the stator (12) without having to take apart the entire winding. The generator (However Blanchard does not disclose that the stator modules are abutting each other to form a ring shape.

Hansson illustrates in Figure #2 a stator having a at least two modules in which each module is individually enclosed within an envelope (22) and that the modules are in a juxtaposed position to form a closed ring, in order to access the maximum effective space. Additionally, the enclosed modules are facing toward the rotor and form the inner periphery of the stator, and that the coils are ferromagnetic. Hansson further illustrates

and air gap between the stator modules (18-20), which do not exceed the air gap of the stator ring do not exceed the air gap of the generator.

It would have been obvious to one of ordinary skill in the art to combine the generator structure of Blanchard et al. with the stator structure of Hansson in order to access the maximum effective space for obtaining an accurate orientation of the windings.

Blanchard et al. And Hansson discloses the claimed invention except for the width of the rotor in relation to the stator. It would have been obvious to one of having ordinary skill in the art at the time the invention was made to choose a desired width between the outer periphery of the rotor and the inner periphery of the stator, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering an optimum or workable range involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

#### ***Allowable Subject Matter***

6. Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art does not disclose a means such as shims to adjust the distance between and outer periphery of the stator structure and an inner periphery of a given stator module.

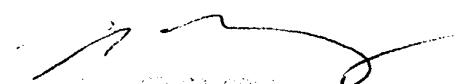
#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heba Elkassabgi whose telephone number is (703) 305-2723. The examiner can normally be reached on M-Th (6:30-3:30), and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

HYE  
June 23, 2003

  
Heba Elkassabgi  
Examiner  
Art Unit 2834